

REMARKS

Claims 1-30 were pending. By virtue of this response, claims 1-10 and 15-19 are amended, and claims 11-14 and 20-30 are cancelled. Therefore, claims 1-10 and 15-19 are presently pending. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter is added.

Objections to the Specification

The specification was objected to because of informalities.

In response, paragraph [0039] of the publication of the application has been appropriately amended according to the Examiner's suggestions. Accordingly, Applicant respectfully requests the objections to the specification be withdrawn.

Claim Objections

Claims 4-14 and 18-30 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim.

By this amendment, claims 11-14 and 20-30 are cancelled. Thus, the objections to claims 11-14 and 20-30 are now moot.

Furthermore, in response, claims 4-10 and 18-19 have been amended to overcome the objections. Accordingly, Applicant respectfully requests the claim objections of claims 4-10 and 18-19 be withdrawn.

Claim Rejections Under 35 U.S.C. § 102

Claims 1 and 15 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Fague et al. (U.S.: 5,768,317) ("Fague").

In response, claim 1 has been amended to recite, among other things, the following:

Claim 1: A base station including a transmitter, the transmitter comprising:
means for receiving independent digital signals ('I', 'Q') to be transmitted;
a digital-to-analog converter (DAC) configured to independently convert the digital signals to analog signals;
an up-converter to up-convert the analog signals to a single radio frequency signal; and
an analog channel filter configured to filter the up-converted analog signals, wherein the base station is characterized by:
a digital pre-equaliser filter coupled before the DAC, and configured to filter the digital signals, wherein the digital pre-equaliser filter comprises a first digital filter and a second digital filter configured to apply complex coefficients to the received digital signals to provide asymmetric equalisation of the received digital signals.

(Emphasis added).

Thus, the “digital pre-equalisation filter” comprising “first and second digital filters” provide asymmetric equalization of the received digital signals ('I', 'Q'). Support may be found, for example, in Figure 1, Figure 3, and paragraphs [0047]-[0053]. Claim 15 has been amended similarly to claim 1.

In contrast, Fague discloses separately filtering the I and Q signals with low pass filters 54 and 55, respectively. See Fig. 2 for support. Furthermore, adder 62 adds the two signals together. (Col. 3, line 66- col. 4, lines 17).

Therefore, Fague fails to at least disclose or suggest “wherein the digital pre-equaliser filter comprises a first digital filter and a second digital filter configured to apply complex coefficients to the received digital signals to provide asymmetric equalisation of the received digital signals,” as recited in claim 1.

Accordingly, Applicant submits claims 1 and 15 are allowable over Fague. Thus, Applicant requests reconsideration and allowance of independent claims 1 and 15.

Claim Rejections Under 35 USC §103

Claims 2 and 16 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Fague et al., in view of Labat et al., U.S. Patent No.: 5,909,466.

For at least the reason that claims 2 and 16 depend from an allowable independent claim, Applicant respectfully submits claims 2 and 16 are allowable.

Claims 3 and 17 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Fague et al., in view of Labat et al., and McGibney U.S. Patent No.: 7,324,559.

For at least the reason that claims 3 and 17 depend from an allowable independent claim, Applicant respectfully submits claims 3 and 17 are allowable.

Accordingly, Applicant respectfully requests reconsideration and allowance of claims 2, 3, 16, and 17.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No.: 03-1952** referencing **Docket No.: 562492004000**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 6, 2009

Respectfully submitted,

By 

Denise H. Wong

Registration No.: 59,622

MORRISON & FOERSTER LLP

425 Market Street

San Francisco, California 94105-2482

Telephone: 415.268.6221

Fax: 415.268.7522